

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TENNILLE VIAU, *et al.*,

Plaintiffs,

Civil Action No. 21-11169

v.

Mark A. Goldsmith
United States District Judge

CITY OF TROY, *et al.*,

Defendants.

David R. Grand
United States Magistrate Judge

/

ORDER TO SHOW CAUSE

On May 20, 2021, plaintiff Tennille Viau (“Viau”), appearing *pro se*, as next friend of K.V., a minor, filed a four-count complaint against the City of Troy and two of its employees, Elaine Bo and Scott Mercer. (ECF No. 1). Also named as defendants were two City of Troy agents, identified in the complaint as John Doe and Jane Doe. (*Id.*). Subsequently, the plaintiffs filed an amended complaint, which added the Troy School District as a defendant. (ECF No. 18). On January 7, 2022, an Order of Reference was entered, referring all pretrial matters to the undersigned pursuant to 28 U.S.C. § 636(b). (ECF No. 32).

On August 5, 2022, the Troy School District filed a motion to dismiss, arguing that Viau “cannot appear pro se on behalf of [her] minor child[]” in this lawsuit.¹ (ECF No. 48). Pursuant to E.D. Mich. L.R. 7.1, the plaintiffs’ response to this motion was due on or before August 29, 2022. To date, the plaintiffs have not filed a response to the Troy School

¹ On August 8, 2022, the remaining defendants concurred in this motion. (ECF No. 49).

District's motion, nor have they moved for an extension of time within which to do so.

For the foregoing reasons, the plaintiffs are **ORDERED TO SHOW CAUSE**, in writing, on or before September 21, 2022, why this Court should not recommend that the Troy School District's motion to dismiss be granted. Alternatively, the plaintiffs may file a response to this motion by September 21, 2022. Failure to timely and adequately respond in writing to this Order to Show Cause, or to timely file a response to the Troy School District's motion, may result in a recommendation that the motion be granted and/or that the plaintiffs' claims be dismissed under Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

Dated: September 8, 2022
Ann Arbor, Michigan

s/David R. Grand
DAVID R. GRAND
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on September 8, 2022.

s/Eddrey O. Butts
EDDREY O. BUTTS
Case Manager